

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN) ECF Case
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This document relates to:

*Thomas Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al.*, No. 03-cv-9849

**NOTICE OF MOTION TO DISMISS PLAINTIFFS WITHOUT PREJUDICE  
PURSUANT TO FED. R. CIV. P. 41(a)(2)**

Plaintiffs JAMES S. WEISENBURGER, JR. (P2470), ARNOLD LEDERMAN (P186), JAMES W. BERGHORN (P1382), FRANCES M. GARVEY (P5066), CARRIE A. GALLAGHER (P3697), VINCENT OGNIBENE (P233), ANNA V. IVANTSOV<sup>1</sup> (P4662), NEIL C. FITZPATRICK (P1658), TERESA VELING CZARK (P4757), ROSANNE HELEN COSTANZA (P4380), TIMOTHY PROVENZANO (P4381), DEBORAH ANN SCHUMANN (P4382), JANE M. O'DEA (P1290), DANIEL LUGE (P1143), DAWN PETERSON, ESTATE OF DAVIN N. PETERSON, DAVID SOZIO (P2341), SCOTT BLANEY (P1397), and ESTATE OF JANICE BLANEY (P1397) (collectively "Plaintiffs") respectfully move pursuant to Fed. R. Civ. P. 41(a)(2) to voluntarily dismiss Plaintiffs listed above without prejudice. A Memorandum in Support of Plaintiffs' Motion and a Proposed Order are being contemporaneously filed with this Notice of Motion.

Because of the number of Defendants in this action, any attempt by Plaintiffs to meet and confer to agree on a stipulation for dismissal would have been unduly burdensome.

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<sup>1</sup> Anna V. Ivantsov asserted claims on behalf of herself and as the Personal Representative of the Estate of Aleksandr Ivantsov and on behalf of all survivors of Aleksandr Ivantsov. This dismissal will dismiss her claims in all capacities.

Plaintiffs submit that no hearing or oral argument is required on this motion.

Dated: February 23, 2018

Respectfully submitted,

/s/ Robert T. Haefele

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